

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

KATHERINE ROBY,

Plaintiff,

v.

COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.

---

Case No. 08-15335

Hon. Gerald E. Rosen

Magistrate Judge Donald A. Scheer

**ORDER ADOPTING  
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

At a session of said Court, held in  
the U.S. Courthouse, Detroit, Michigan  
on October 30, 2009

PRESENT: Honorable Gerald E. Rosen  
Chief Judge, United States District Court

On August 11, 2009, Magistrate Judge Donald A. Scheer issued a Report and Recommendation ("R & R") recommending that the Court grant the Defendant Commissioner of Social Security's motion for summary judgment and deny Plaintiff Katherine Roby's motion for summary judgment. Plaintiff has not filed any objections to the R & R. Upon reviewing the R & R, the parties' underlying motions, and the record as a whole, the Court fully concurs in the analysis of the Magistrate Judge, and adopts the R & R in its entirety.

Accordingly,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's August 11, 2009 Report and Recommendation is ADOPTED as the opinion of this Court. IT IS FURTHER ORDERED that, for the reasons stated in the R & R, Defendant's motion for summary judgment (docket #14) is GRANTED, and Plaintiff's motion for summary judgment (docket #11) is DENIED.

s/Gerald E. Rosen  
Chief Judge, United States District Court

Dated: October 30, 2009

I hereby certify that a copy of the foregoing document was served upon counsel of record on October 31, 2009, by electronic and/or ordinary mail.

s/Ruth Brissaud  
Case Manager